

WILLIAM J. PENNINGTON III  
ATTORNEY AT LAW

1063 LOYALIST LANE  
MOUNT PLEASANT, SC 29464

(803) 881-8830

MAILING ADDRESS  
POST OFFICE BOX 1447  
MOUNT PLEASANT SC 29465  
TELECOPIER (803) 881-8830

RECEIVED  
ADMITTED IN  
SOUTH CAROLINA  
NORTH CAROLINA  
MAY 6 1996

FCC MAIL ROOM

May 1, 1996

DOCKET FILE COPY ORIGINAL

William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

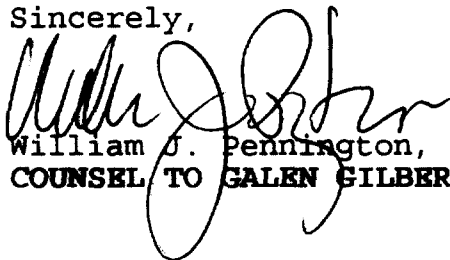
RE: Petition for Rule Making Seeking Allotment of New Fm Channel  
to Shell Knob, Missouri.

Dear Mr. Caton:

Transmitted herewith, on behalf of Galen Gilbert, is an original and five copies of a Petition for Rule Making seeking the allotment of a new FM Channel to Shell Knob, Missouri.

Should there be any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



William J. Pennington, III  
COUNSEL TO GALEN GILBERT

Enc.  
WJP/rjm

No. of Copies rec'd  
List ABCDE

025

RECEIVED

MAY 6 1996

FCC MAIL ROOM

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of

|                                |   |               |
|--------------------------------|---|---------------|
| Amendment of Section 73.202(b) | ) | MM Docket No. |
| Table of Allotments            | ) | RM-           |
| FM Broadcast Stations          | ) |               |
| (Shell Knob, Missouri)         | ) |               |

Directed to: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

PETITION FOR RULE MAKING

Galen Gilbert (hereinafter "Gilbert"), hereby petitions the Commission institute a rule making proceeding seeking the allotment of FM Channel 249A to Shell Knob, Missouri as its first local broadcast service. In support whereof, the following is shown:

1. Attached hereto as Exhibit E-1 is a channel spacing study which shows that Channel 249A may be allotted to Shell Knob, Missouri in compliance with the Commission's spacing requirements if site restricted 16.5 kilometers north to avoid a short spacing with third adjacent channel station KOLZ(FM) at Bentonville, Arkansas. From this point an operating station would deliver a 3.16 mV/m service contour over the entire community. A map showing the proposed allotment coordinates, the community of Shell Knob and 3.16 service contour is attached.

2. The allotment of Channel 249A to Shell Knob would provide the community with its first local FM service. Shell Knob is an unincorporated community in Barry County, Missouri. Barry County

had a 1990 population of 27,547 persons.

3. Shell Knob has all of the indicia as outlined in the Commission's Rules and previous policy statements for allotment of a new FM channel. Shell Knob is an active community with commercial establishments, churches, fire department, schools etc. Shell Knob has experienced steady growth over the past decade due to its proximity to Table Rock Lake. The area surrounding the lakes draws an ever increasing number of vacationers and tourists annually.

4. Shell Knob is not located within or near any urbanized area as that term is defined by the U.S. Department of Census.

5. If the Commission allots Channel 249A to Shell Knob, Gilbert, or an entity with which the proponent is affiliated, will promptly file an application for construction permit for a new FM station on the channel, and upon grant, will construct and operate the facility.

**WHEREFORE**, the above facts considered, Galen Gilbert, hereby respectfully requests that the Commission allot FM Channel 249A to Shell Knob, Missouri as its first local FM service.

Respectfully submitted,

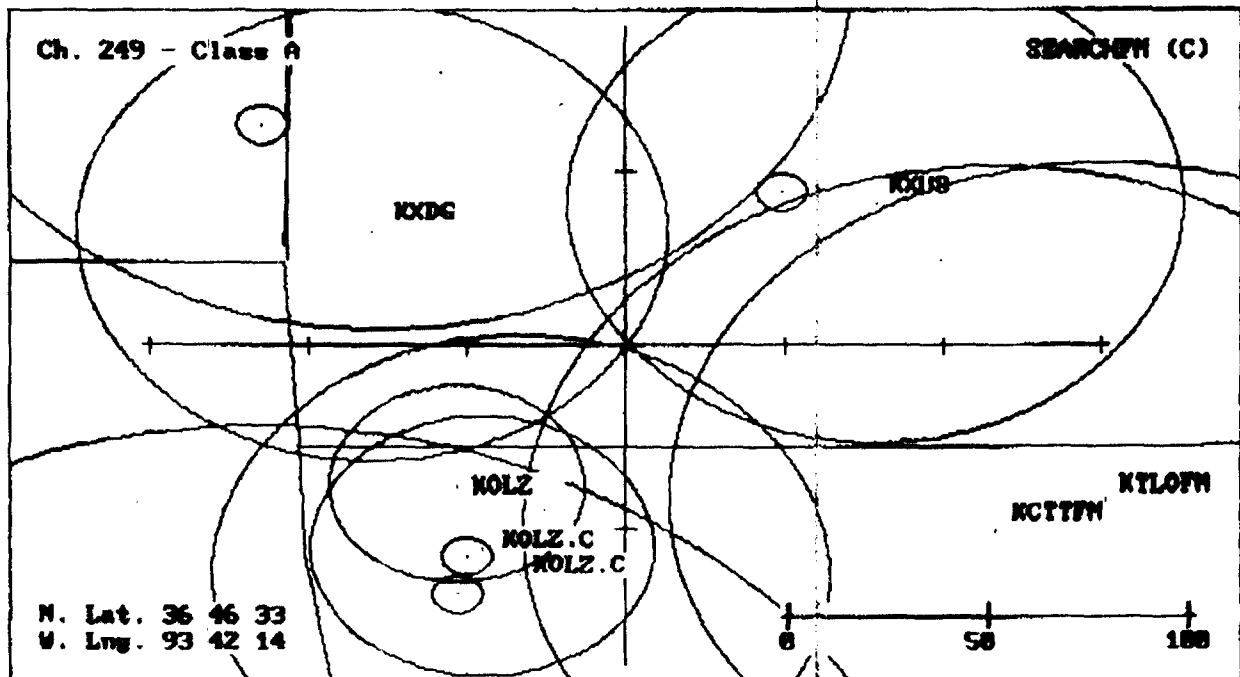
**GALEN GILBERT**

By: 

William J. Pennington, III  
His Counsel

Post Office Box 1447  
Mount Pleasant, SC 29465  
(803) 881-8830

Date: May 1, 1996

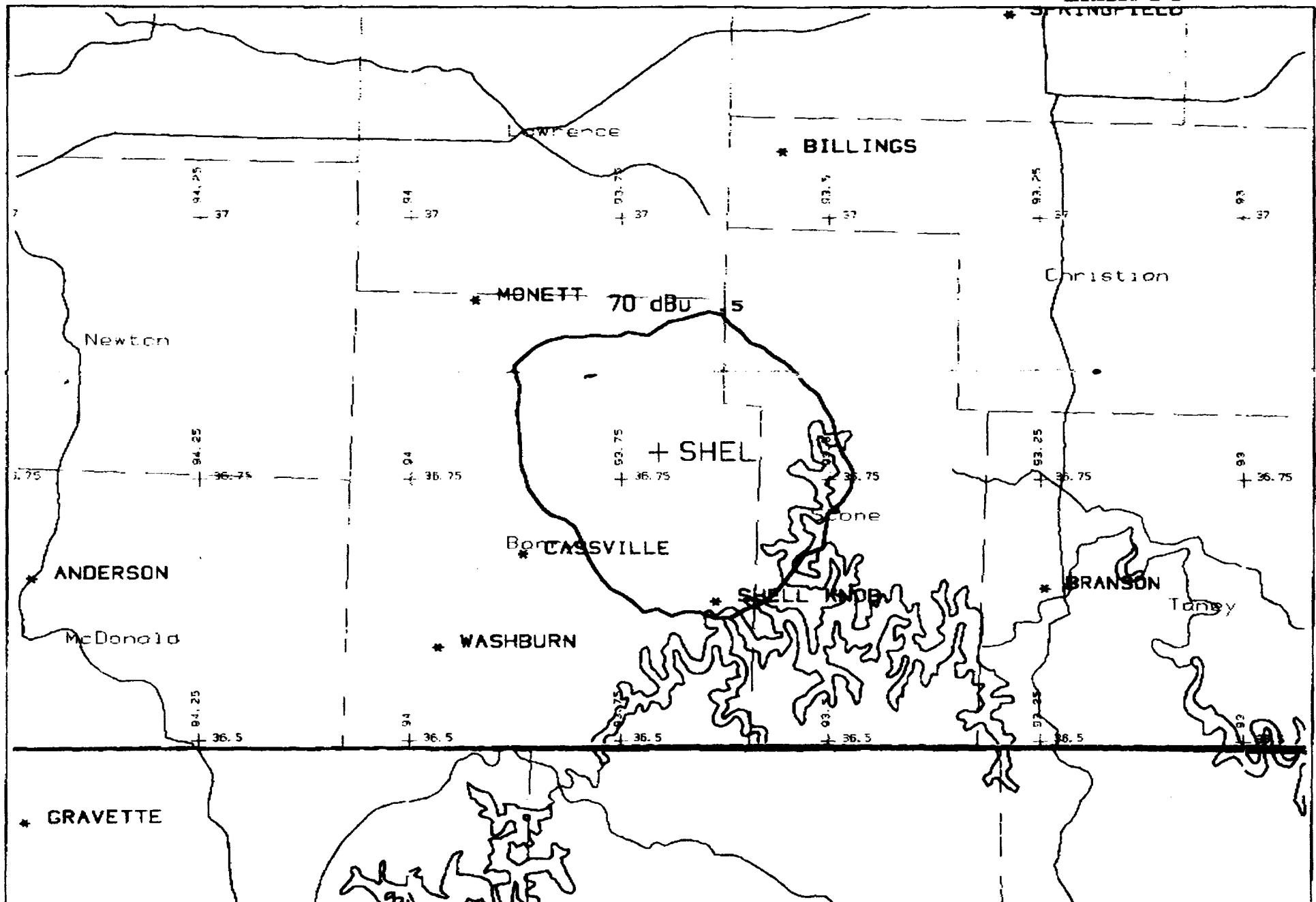


## Current rules spacings

## CHANNEL 249 - 97.7 MHz

| CALL   | CH#   | CITY          | STATE | BEAR' | D-KM   | R-KM  | MARGIN    |
|--------|-------|---------------|-------|-------|--------|-------|-----------|
| KCTTFM | 249A  | Yellville     | AR    | 122.3 | 106.94 | 115.0 | -8.06 */1 |
| KXDG   | 250A  | Webb City     | MO    | 300.2 | 72.10  | 72.0  | 0.10 <    |
| KXUS   | 247C1 | Springfield   | MO    | 53.1  | 75.81  | 75.0  | 0.81 <    |
| KOLZ.C | 252C1 | Bentonville   | AR    | 199.6 | 76.40  | 75.0  | 1.40 <    |
| KNMOFM | 249A  | Nevada        | MO    | 333.5 | 134.52 | 115.0 | 19.52     |
| KTLOFM | 250C2 | Mountain Home | AR    | 112.1 | 126.01 | 106.0 | 20.01     |
| KOLZ   | 252A  | Bentonville   | AR    | 223.9 | 59.98  | 31.0  | 28.98     |
| KOLZ.C | 252C3 | Bentonville   | AR    | 209.5 | 72.27  | 42.0  | 30.27     |
| KZBB   | 250C  | Poteau        | OK    | 205.0 | 208.55 | 165.0 | 43.55     |

/1 STATION KCTT-FM AT YELLVILLE, ARKANSAS HAS MOVED FROM CHANNEL 249A (97.7 mHz.) TO CHANNEL 269A (101.7 mHz.). STATION KCTT-FM IS OPERATING ON CHANNEL 269A. THUS KCTT-FM IS NO PROBLEM FOR THIS ALLOCATION.



|   |   |   |
|---|---|---|
| <p>Scale in km</p> <p>0 10 20 30 40</p> | <p>SHEL 249 6kW @ 100 meters HAAT<br/>N. Lat. 36 46 33 W. Lng. 93 42 14</p> | <p>SHELL KNOB<br/>CONTOURS INC. - 05/96</p> |
|---|---|---|